

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH L. OLLIE,)	
)	
v.)	C.A. No. 12-67 Erie
)	
TPR. JAMES G. BROWN, et al,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on March 5, 2012, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, filed on November 4, 2013, recommended that the motion to dismiss filed by Defendant Brown [ECF No. 48] be GRANTED and the motion to dismiss filed by the Commonwealth Defendants [ECF No. 79] be GRANTED. It further recommended that the claims against Defendants Hart, Carniewski, and the City of Erie be dismissed pursuant to this Court's authority under the Prison Litigation Reform Act, and that the motion for leave to file amended complaint [ECF No. 52] be DENIED.

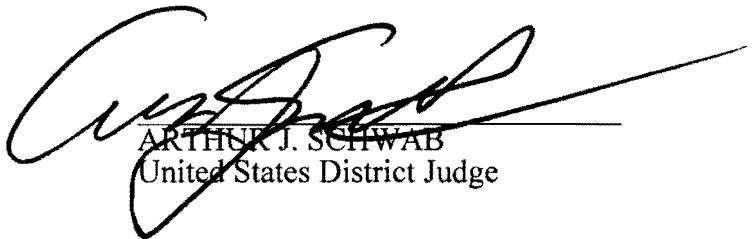
The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by mail at NEOCC, where he is incarcerated, and on Defendants. Objections were filed by Plaintiff on November 20, 2013. After de novo review of the

pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 22nd Day of November, 2013;

IT IS HEREBY ORDERED that the motion to dismiss filed by Defendant Brown [ECF No. 48] is GRANTED and the motion to dismiss filed by the Commonwealth Defendants [ECF No. 79] is GRANTED. It further ORDERED that the claims against Defendants Hart, Carniewski, and the City of Erie are dismissed pursuant to this Court's authority under the Prison Litigation Reform Act, and that the motion for leave to file amended complaint [ECF No. 52] is DENIED. The Clerk is directed to close this case.

The report and recommendation of Magistrate Judge Baxter, dated November 4, 2013, is adopted as the opinion of the court.


ARTHUR J. SCHWAB
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____